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Items 13, 14, 15, 19, 24, 66, 71, 73, 82, 88, 90, 96, 98, 99, 100 and 103 of the provisional agenda*

REPORT OF THE INTERNATIONAL COURT OF JUSTICE

REPORT OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

ELECTIONS TO FILL VACANCIES IN PRINCIPAL ORGANS

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

LAW OF THE SEA

IMPLEMENTATION OF THE COMPREHENSIVE NUCLEAR-TEST-BAN TREATY

GENERAL AND COMPLETE DISARMAMENT

REVIEW OF THE IMPLEMENTATION OF THE RECOMMENDATIONS AND DECISIONS ADOPTED BY THE GENERAL ASSEMBLY AT ITS TENTH SPECIAL SESSION

EFFECTS OF ATOMIC RADIATION

INFORMATION FROM NON-SELF-GOVERNING TERRITORIES TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER OF THE UNITED NATIONS

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS

MACROECONOMIC POLICY QUESTIONS

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SUSTAINABLE DEVELOPMENT AND INTERNATIONAL ECONOMIC COOPERATION

ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

OPERATIONAL ACTIVITIES FOR DEVELOPMENT

CRIME PREVENTION AND CRIMINAL JUSTICE

Letter dated 12 September 1996 from the Permanent Representative of the Marshall Islands to the United Nations addressed to the Secretary-General

I have the honour to transmit to you the final text of the Forum Communiqué, adopted by the twenty-seventh South Pacific Forum, held at Majuro, Marshall Islands, from 3 to 5 September 1996 (see annex).

I should be grateful if you could arrange to have the text of the present letter and its annex circulated as a document of the General Assembly under items 13, 14, 15, 19, 24, 66, 71, 73, 82, 88, 90, 96, 98, 99, 100 and 103 of the provisional agenda.

(Signed) Laurence N. EDWARDS
Ambassador
Permanent Representative

ANNEX

Forum communiqué adopted by the twenty-seventh
South Pacific Forum

Majuro, Marshall Islands, from 3 to 5 September 1996

The Twenty-Seventh South Pacific Forum was held in Majuro from 3 to 5 September 1996 and was attended by Heads of State and Government, or their representatives of Australia, the Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Nauru, New Zealand, Niue, Palau, Papua New Guinea, the Republic of Marshall Islands, Solomon Islands, Tonga, Tuvalu, Vanuatu and Western Samoa.

2. The Forum thanked the people and the Government of the Republic of Marshall Islands for the generous hospitality provided to all delegations to the Forum and the arrangements made for its meeting. It expressed its deep appreciation to the outgoing Chairman for his excellent leadership during the year.

PACIFIC SOLIDARITY FOR THE COMMON GOOD

3. Leaders held an intensive discussion on the Forum Theme of "Pacific Solidarity for the Common Good" and agreed on a range of measures to achieve more progress in economic reform and development. The measures are outlined in the separate statement adopted by the Forum and attached as appendix I.

4. The Chair thanked the Prime Minister of Papua New Guinea, Western Samoa, and New Zealand, and the Beretitenti of Kiribati, for their comprehensive presentations

they had made on the sub-themes. He expressed his appreciation also to the University of the South Pacific for provision of discussion papers on the sub-themes.

DEVELOPMENT

Fisheries

5. Regional fish stocks are an internationally significant resource, and regional fisheries must be developed sustainably and in a way that maximises the benefit to Forum members. The Forum called upon the Forum Fisheries Committee to continue with urgency its development of comprehensive arrangements for the sustainable management of the region's fisheries across the full geographical range of the stocks, including the high seas. It endorsed the initiative of the Republic of Marshall Islands to convene a ministerial meeting to help advance this process. It also endorsed a second High Level Multilateral Consultation on the Conservation and Management of Fisheries Resources of the Central Western Pacific in early 1997, and noted the offer by the Republic of Marshall Islands to host the meeting.

Forestry

6. Recognising the economic and ecological importance of forest resources, the Forum endorsed action to date by member countries to implement the South Pacific Code of Conduct for Logging of Indigenous Forests in Selected South Pacific Countries, and called for continuing efforts by all Forum members to manage their forests sustainably.

ECONOMIC POLICY ISSUES

Forum Economic Ministers' Meeting

7. The Forum noted the progress made by Forum Finance Ministers during their meetings in 1995 towards defining a practical, regionally-focussed, economic reform

agenda. It agreed that, in order to allow the Ministers' agenda to cover the breadth of economic issues, Forum Ministers with appropriate economic portfolios should meet annually, prior to the Forum and report to the Forum.

Tariff Reform

8 Leaders recognised that tariff reform was often critical to achieving sustainable economic development and thanked Australia and New Zealand for assisting the Forum Secretariat to produce a very useful assessment of the contribution tariffs make to national revenues and policy. They agreed that tariff policies should be reviewed in the light of the need to liberalise trade in the region, consistent with the global liberalisation focus, and supported measures that countries can undertake without compromising other national policy objectives. Each member country undertook to consider in detail the Secretariat study, in the light of their national circumstances, and report to the next Economic Ministers' Meeting. Leaders welcomed the offers by Australia and New Zealand to expand the scope of the review to other countries in the region.

Investment Transparency

9. The Forum acknowledged the importance of attracting quality investment if members were to achieve sustainable economic development, and noted the report prepared by the Secretariat outlining national investment policies. The next Forum Economic Ministers' Meeting will report to the 1997 Forum on the progress of Forum Island Countries (FICs) in developing their national investment policies, and advise on efforts to bring these into line with APEC investment principles by the end of 1998. Leaders noted that the Secretariat is to publish in 1997 a handbook on FICs' investment policies.

Trade Representation

10. The Forum warmly welcomed the imminent opening in Tokyo of the South Pacific Economic Exchange Support Centre (SPEESC), to be known operationally as the Pacific Islands Centre. Leaders expressed their appreciation to the Government and people of Japan for their generous support for this important Forum initiative. The Forum reaffirmed its on-going commitment to the SPEESC, including member island countries' financial contributions, and the further development of trade, investment and tourism linkages between the FICs and Japan.

11. Leaders also directed the Secretariat to proceed with work to develop and broaden trade representation in other markets which offered FICs export and investment sourcing opportunities. They noted progress made towards the establishment of the proposed trade office in the People's Republic of China, and the options which had been developed for the establishment of a trade office in Taipei. The Secretariat will continue discussions to these ends. However, the Forum noted that such work should not divert resources from other priority issues facing the Forum, and should take into account evaluations of existing trade offices.

Relations with APEC

12. The Forum reiterated the need for further strengthening of APEC/Forum links. It discussed Papua New Guinea's initiative for the establishment of the proposed APEC Centre and invited Papua New Guinea to develop its proposals further.

ENVIRONMENTAL ISSUES

Climate Change

13. The Forum highlighted its concern that climate change had become a crucial issue within the region. It called for urgent action, particularly in view of the Second Assessment Report of the Intergovernmental Panel on Climate Change (IPCC) which stated that the balance of scientific evidence suggested a discernible human influence on the global climate. The Forum welcomed the outcomes of the Second Conference of the Parties to the Framework Convention on Climate Change (FCCC) in endorsing the second assessment report; advancing the national communications reporting process in implementing commitments; and giving impetus to the Berlin mandate negotiations. It called for acceleration of negotiations on the text of a legally binding protocol or another legal instrument to be completed in time for adoption at the Third Session of the Conference of the Parties in order to achieve significant progress towards the goal of lower greenhouse gas emissions.

14. The Forum called upon all countries to support the activities of the Ad-Hoc Group on the Berlin Mandate (AGBM) and reaffirmed its support for the inclusion for the Alliance of Small Island States' Draft Protocol for consideration in the negotiating process.

Biological Diversity

15. The Forum called upon the United Nations Development Programme and the Global Environment Facility for the extension of the funding period for the South Pacific Biodiversity Conservation Programme (SPBCP) to provide adequate time for the community-based conservation activities to build effective community management groups, and to establish effective relationships between Government and non-Government agencies and communities.

Sea Turtles

16. The Forum noted the successful outcomes of the Year of the Sea Turtle campaign and acknowledged the importance of building on existing regional awareness and goodwill. Forum members resolved to continue their support for the Regional Marine Turtle Conservation Programme and to examine further ways of working together to enhance conservation efforts.

International Coral Reefs Initiative (ICRI)

17. The Forum noted the inextricable link between healthy coral reefs and successful coastal zone management. It called on all Forum countries and development partners to recognise the Pacific region's 1997 "Year of the Coral Reef", and to encourage participation in its development and implementation. The Forum welcomed Australia's hosting of the ICRI Secretariat for the two years from June 1996.

Barbados Programme of Action

18. The Forum welcomed progress achieved in the region in implementing the Barbados Programme of Action from the 1994 Global Conference on the Sustainable Development of Small Island Developing States and noted with appreciation the report submitted to the 1996 meeting of United Nations Commission on Sustainable Development jointly by the South Pacific Regional Environment Programme (SPREP) and the ESCAP Pacific Operations Centre (EPOC). The Forum expressed appreciation for the work undertaken by SPREP and EPOC through the regional consultative mechanism established by the Forum in 1994 to implement the Barbados Conference outcomes.

UNGA Special Session on Environment and Development

19. The Forum noted the importance of the 1997 UN General Assembly Special Session to review progress since the UNCED, and asked that the Advisory Committee to the regional consultative mechanism convene before the end of 1996 to consider the specific issues and concrete proposals for action to be submitted for consideration at the Special Session. It called on all Forum countries, development partners, and regional organisations to support the region's effort in preparation for the Special Session.

SPREP Action Plan

20. The Forum noted that the five yearly ministerial meeting of SPREP would be held on 28 November 1996. The Meeting will consider and adopt an Action Plan for regional cooperation in environmental management over the next five years. The Forum noted that the draft 1996-2000 Action Plan gave particular attention to building national capacity in environmental and resource management through support to government agencies, NGOs and the private sector. Forum members resolved to support SPREP in adopting and effectively implementing the Action Plan.

Global Environment Facility (GEF)

21. The Forum noted the considerable progress in the implementation of the Pacific Strategy for the GEF and that Pacific Island Countries have fared reasonably well in accessing GEF funding. It supported the proposal that SPREP should coordinate a Strategic Action Programme for the Pacific under the GEF's International Waters portfolio and called upon relevant regional organisations to undertake the preliminary reviews outlined in the draft proposal.

Coastal Protection Action Plan

22. Forum Leaders called upon Development Partners to support regional concerns and efforts to address coastal protection in Forum countries.

Hazardous and Radioactive Wastes

23. The Forum reiterated the importance of the Waigani Convention on Hazardous Wastes which it had adopted in 1995. It urged all members which had not yet done so to ratify or accede to the Convention expeditiously, in order to bring it into effect as soon as possible.

24. The Forum agreed that shipments of plutonium and radioactive wastes through the region posed a continuing concern. It reiterated the expectation that such shipments should be carried out in accordance with the highest international safety and security standards, in a manner which satisfactorily addressed all possible contingencies, and in full consultation with Forum countries. In this regard, it appreciated the cooperation of Japan in responding to Forum concerns by provision of information on, and consultation about, its shipments.

25. The Forum noted with concern that, despite the long-standing regional opposition to the use of the Pacific as a dumping ground for others' wastes, and the adoption of the Waigani Convention, new proposals for creating storage sites for nuclear wastes in the region were emerging. It was particularly concerned at the recent revival of a proposal to create such a site on Palmyra Atoll, although encouraged that the US administration had opposed the proposal.

26. The Forum recalled that in 1979, when a proposal to develop a storage site for spent nuclear fuel on Palmyra had first been made, it had expressed its strong opposition. The Forum reiterated its 1979 position, strongly opposing any move to use

the Pacific as a dumping ground for nuclear waste. In that regard it will seek to ensure a firm commitment by the United States that the proposal for Palmyra Atoll will not be implemented.

27. The Forum again reaffirmed the existence of a special responsibility toward those peoples of the former United Nations Trust Territory administered by the United States, the Marshall Islands, who had been adversely affected as a result of nuclear weapon tests conducted during the period of the Trusteeship. This responsibility included safe resettlement of displaced human populations and the restoration to economic productivity of affected areas.

28. The Forum again expressed the region's continuing concerns about the Johnston Atoll Chemical Agent Destruction System (JACADS). It noted the commencement of operations of a major chemical agent disposal facility in Tooele, Utah, and reiterated its position that JACADS should be permanently closed when the current programme of chemical weapons and agent destruction was completed.

POLITICAL AND SECURITY ISSUES

Nuclear Testing and Nuclear Free Zones

29. Forum Leaders expressed satisfaction at the permanent cessation of French nuclear testing in the South Pacific. This marked the end of all nuclear testing in a region which had been subjected to both atmospheric and underground testing for five decades. China's recent announcement of a moratorium on nuclear testing meant that all five nuclear weapon states were now observing testing moratoria, as long urged by the Forum.

30. Forum Leaders also warmly welcomed the signature and ratification by Vanuatu of the South Pacific Nuclear Free Zone Treaty, the signature of Tonga, and the signing

of the Protocols to the Treaty by France, the United Kingdom and the United States of America. As a result of these developments, all states within the Treaty area had now given their support to the Treaty, and all five nuclear weapons states had undertaken to respect its provisions. The Forum urged early ratification of the Protocols by France, the United Kingdom and the United States of America.

31. Forum Leaders were encouraged by the establishment since their last meeting of two nuclear weapon-free-zones - in South East Asia (Treaty of Bangkok) and Africa (Treaty of Pelindaba). Leaders noted with satisfaction that these developments represented progress with respect to the decisions accompanying the indefinite extension in 1995 of the Treaty on the Non-Proliferation of Nuclear Weapons. In this context, Forum Leaders expressed support for an appropriate resolution at the forthcoming 51st session of the United Nations General Assembly whereby signatory states of southern hemisphere nuclear weapons free zone treaties and other members of the international community could affirm their support for these zones and cooperate in furtherance of the goals of these zones and of nuclear non-proliferation and disarmament.

32. Forum Leaders welcomed the completion of the report of the Canberra Commission on the Elimination of Nuclear Weapons. The Forum viewed the report as a constructive contribution to the important international debate on nuclear disarmament and non-proliferation. The Forum looked forward to the transmission of the report to the UN General Assembly and the Conference on Disarmament.

33. The Forum noted the advisory opinion of the International Court of Justice on the legality of nuclear weapons as a further impetus towards nuclear disarmament. It urged all states concerned, particularly the nuclear weapon states, to continue meaningful negotiations with a view to early further significant reductions of nuclear stockpiles as a step towards the ultimate elimination of nuclear weapons.

Environmental Monitoring of French Test Sites

34 The Forum noted France's invitation to the International Atomic Energy Agency (IAEA) to conduct a radiological study of French nuclear testing sites in the Pacific and expressed its appreciation for the cooperation given so far to the project by the French authorities. The Forum noted that France's invitation to the IAEA to conduct the study was consistent with the desire of Forum countries expressed in the declaration of the August 1995 meeting of South Pacific Environment Ministers for France to provide access by the international community to all French scientific data and to the testing sites themselves, to enable an independent and comprehensive assessment of the effects of nuclear testing.

Comprehensive Test Ban Treaty (CTBT)

35 Forum Leaders regretted that the Conference on Disarmament had been unable to agree by consensus on the draft CTBT text, and considered that this historic opportunity must not be lost to bring finally the nuclear testing era to an end. By permanently banning nuclear testing, the CTBT would secure invaluable nuclear non-proliferation and disarmament benefits, and enhance international security. Forum Leaders gave their full support to the adoption of the CTBT by the current session of the UN General Assembly, and called on all other members of the international community to do likewise. They expected Forum members to take the lead in the United Nations by early co-sponsorship of the CTBT resolution. Forum Leaders urged all nations to join with them in signing and ratifying the CTBT as soon as possible, to facilitate the treaty's earliest implementation.

Civil Liability Regime for Nuclear Damage

36 The Forum recalled the ongoing negotiations of the Standing Committee on Nuclear Liability (SCNL) under the auspices of the International Atomic Energy Agency

to establish a comprehensive international legal regime covering civil liability for nuclear damage, and expressed the hope that negotiations would be brought to a conclusion in the near future. The Forum expressed its support for the establishment of a credible civil nuclear liability regime, including a dedicated transboundary fund of sufficient size and adequate compensation for the victims of transboundary damage. The Forum believed that a regime must be capable of attracting widespread adherence from both nuclear and non nuclear generating states around the world. The Forum noted that, consistent with the Convention for the Protection of the Natural Resources and Environment of the South Pacific Region (SPREP), it was important that a civil nuclear liability regime incorporate environmental damage within its scope.

Implementation of Honiara Declaration

37. The Forum expressed concern over the continuing threats to the region from criminal activities, noted that some criminal elements had sought to take advantage of rapid developments in technology, and recognised the importance of effective regional cooperation in the law enforcement field to combat these threats. The Forum reiterated its commitment to the principles contained in the Honiara Declaration on Law Enforcement Cooperation, and agreed to give high priority to enhancing cooperation, and by supporting the more effective use of existing liaison and coordination networks. They agreed on the need for an early meeting of the Regional Security Committee to examine ways to take forward the objectives of the Honiara Declaration more effectively.

Common Approach to Weapons Control

38. The Forum recognised the potential seriousness of any increased movement of weapons throughout the region and called on Forum members to work together to control such weapons movements. The Regional Security Committee has been directed to study and report on how this might be implemented.

Regional Support Arrangements

39. The Forum noted progress in developing the concept of Regional Support Arrangements which Leaders had discussed at their meeting in Madang. It expected that the proposed Regional Support Arrangements would be complementary to and strengthen existing security cooperation through the Regional Security Committee. It directed the Forum Officials Committee to set up a sub-Committee to develop the proposal further, including possible implementation mechanisms.

Post-Forum Dialogue

40. The Forum appreciated Malaysia's interest in the development of the Pacific region and would welcome Malaysia as a post-Forum Dialogue Partner.

41. The Forum agreed also that consideration should be given to restructuring the Dialogue, to reduce the time taken by its meetings and allow more focussed discussion. It directed the Forum Officials Committee to develop some proposals in this regard for consideration at the 1997 Forum. Leaders agreed that decisions on other expressions of interest in Dialogue Partner status should be deferred pending this examination.

42. The Forum agreed on the lifting of the suspension of France as a dialogue partner, with immediate effect. It adopted a separate statement on this issue attached as Annex 2.

New Caledonia

43. The Forum endorsed the recommendations of a report presented by its Ministerial Committee on New Caledonia. It expressed its appreciation to the members of the Committee, and to the Government of France and the authorities in New Caledonia for facilitating the Ministers' visit to the territory.

44 Leaders were pleased that all parties to the Matignon Accords appeared generally satisfied with the progress being made in implementing the provisions of the Accords. They encouraged all parties to maintain their commitment to the Accords process and to the promotion of economic, social and political development in New Caledonia. They likewise encouraged all parties to continue dialogue in the search for a durable political solution to the question of the territory's long term future.

45 The Forum reaffirmed its support for continuing contact with New Caledonia as a constructive contribution towards the Matignon process, and agreed that the Ministerial Committee should continue its work in monitoring the situation. It expressed its disappointment at France's decision not to welcome Nauru's participation in the Ministerial visit to New Caledonia in 1996.

UN Security Council Candidatures

46 The Forum reaffirmed its strong and unanimous support for Australia's candidature for the UN Security Council for the two year term 1997-98. It looked forward to Australia's term on the Security Council. In recognising the importance of Japan as a constructive partner for the region, the Forum also expressed its strong and unanimous support for the candidature of Japan for the UN Security Council for the same two year term.

DATE AND VENUE OF NEXT MEETING

47 The Forum reaffirmed its appreciation and acceptance of the kind offer of the Cook Islands to host the 28th South Pacific Forum. The date for the Forum would be finalised by the Cook Islands in consultation with the Secretariat.

APPENDIX I

FORUM LEADERS TACKLE ECONOMIC ISSUES

Forum Leaders have today agreed on a range of measures to achieve more progress in both economic reform and development, which is so important for the future benefit of their peoples. This follows up the Forum's decisions in Brisbane on resources and transport issues, and of Madang on Securing Development Beyond 2000.

In line with the 27th Forum's theme - Regional Solidarity for the Common Good', Leaders agreed to jointly pursue the following goals:

- Support national economic development strategies through regional and sub-regional cooperation by means of regular meetings of Forum Economic Ministers and the strengthening of the policy role of the Forum Secretariat. Leaders accepted Australia's offer to host the first meeting next year.

- Enhance the region's ability according to each nation's circumstance, to respond to global economic changes (eg. WTO and APEC developments) and in particular increasing trade liberalisation, which will progressively make preferential trading arrangements (including SPARTECA and the Lomé Convention) less relevant

    - Economic Ministers to consider the appropriate next steps to maintain the momentum of tariff reforms;

- Member countries wishing to attract foreign direct investment, to quickly develop and publish investment policy statements which are comprehensive and clear;

- Member countries to pursue domestic policies which facilitate the development of the private sector, including reducing public sector costs as necessary.

- Aid donors to ensure their assistance supports our key reform objectives, including a recognition that the manner in which Forum Island Countries respond to global changes will vary according to size, geography and relative economic strength.

Leaders considered that the establishment of clearly defined goals would generate a renewed spirit of commitment to Pacific solidarity. At the same time they agreed that the process should be reinforced by effective assessment at both regional and national levels.

APPENDIX II

RELATIONS BETWEEN FRANCE AND THE SOUTH PACIFIC FORUM

The Forum agreed that the suspension of France's Post-Forum Dialogue Partner status had been a significant and effective part of the region's campaign against nuclear testing. In light of France's permanent cessation of testing, and other welcome measures, including independent environmental monitoring of the test sites, to comply with the Forum's position on testing, Forum Leaders have decided to lift the suspension with immediate effect.

A dialogue meeting with France will be arranged separately as soon as it is convenient for both sides.

Leaders looked forward to the resumption and further development of a constructive relationship at regional level with France.